

Avoiding a Red Card with Green Claims and Labels

ASRC/ELI Summit,
June 10, 2013

Panelists

Scot Case - Director, Market Development, UL Environment

Jim Kohm - Associate Director of Enforcement, Bureau of Consumer Protection, Federal Trade Commission

David G. Mallen - Deputy Director, National Advertising Division (NAD)

Sheila A. Millar – Partner, Keller and Heckman, LLP

Julia Oas - Corporate Counsel, S.C. Johnson & Son, Inc.

Claim Substantiation at NAD

- What messages or claims are conveyed to consumers by the advertisement?
- Does the advertiser have “competent and reliable” evidence to substantiate those claims?
 - *FTC Green Guides*
 - *Industry Standards*
 - *Experts in the Field*

Claims of General Environmental Benefit



Panasonic, #4697 (2007)

**“Panasonic
Plasmas are
Environmentally
friendly”**

**“No Lead. No
Mercury...Most
LCD TVs have
mercury.”**

Seals and Certifications



TransFair USA (Fair Trade Certified Ingredients Seal), Case #5337 (2011)

Underwriters Laboratories



The Mark of Trust

BUT....

**Sustainability is about
more than just a label.**

Communicating Sustainability Information

(Different Information Tools for Different Audiences Based on the Same Data)



Simple

Complex

Labels

Reports

Data



Tiered Labels
(multi-attribute)



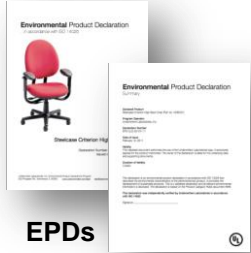
Binary Labels
(multi-attribute)



Tiered Labels
(single attribute)

Binary Labels
(single attribute)

Lifecycle Assessments
Environmental Product Declarations



EPDs

Complex Analytics

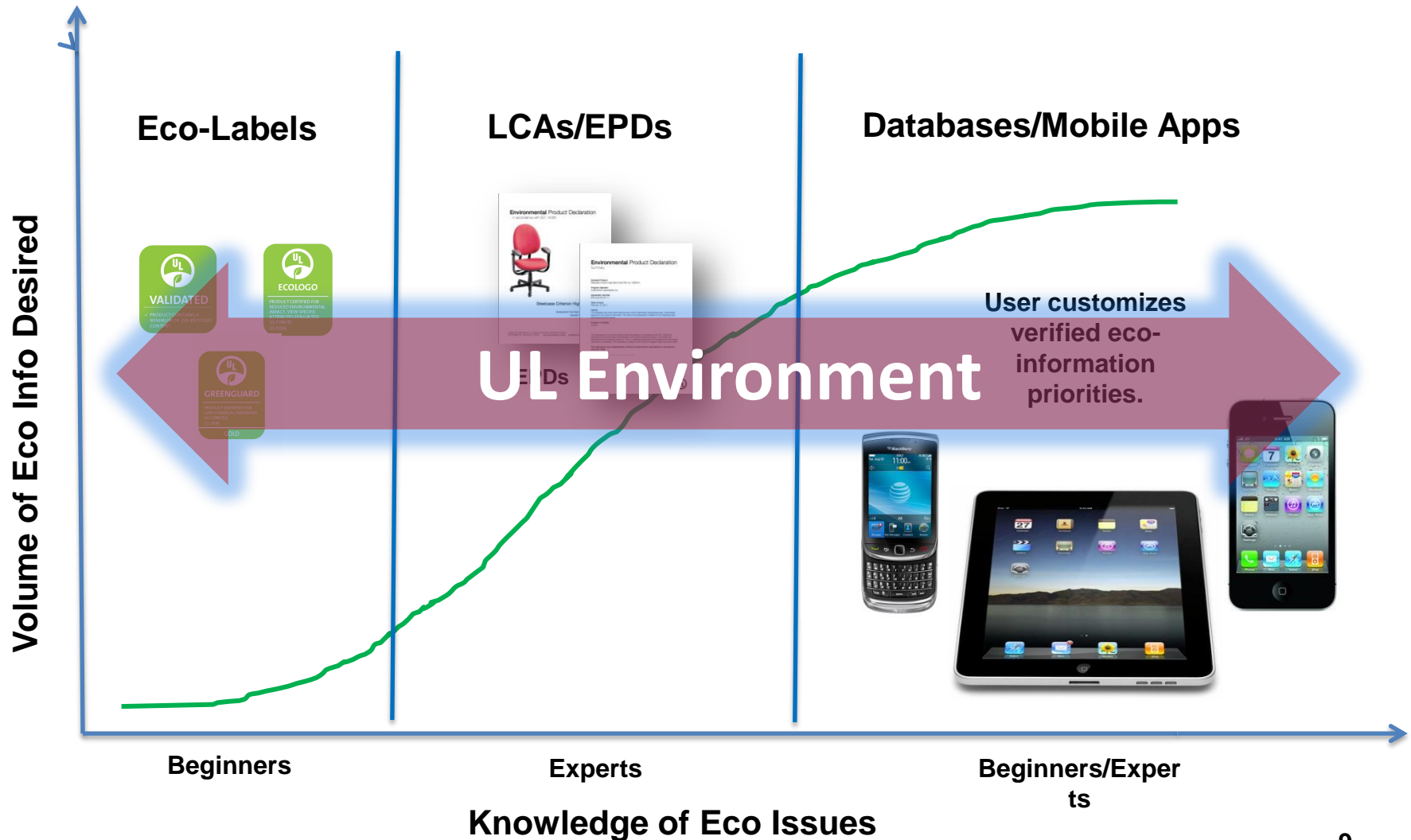
Databases



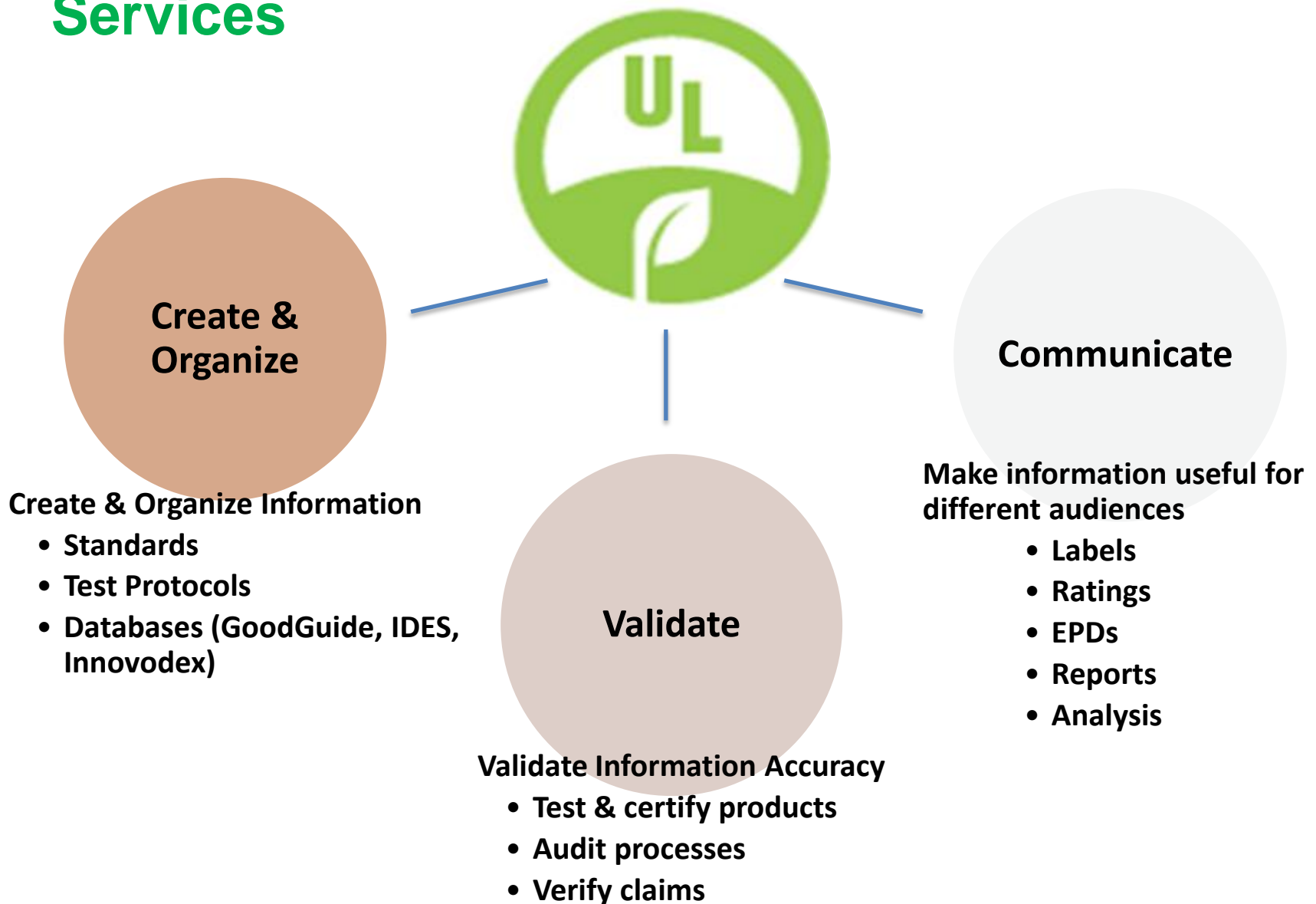
GoodGuide & I&I

Communicating Sustainability Information

(Different Information Tools for Different Audiences Based on the Same Data)

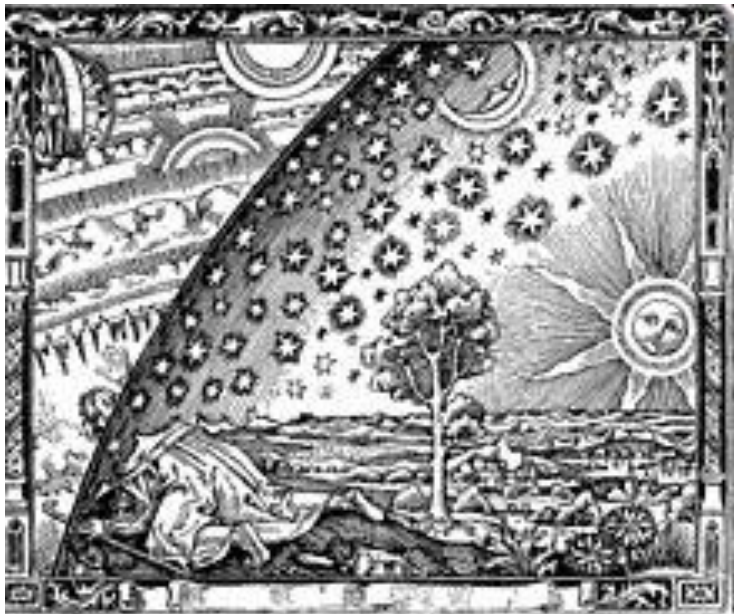


UL Environment: Sustainability Information Services



Consumer Perception v. Science

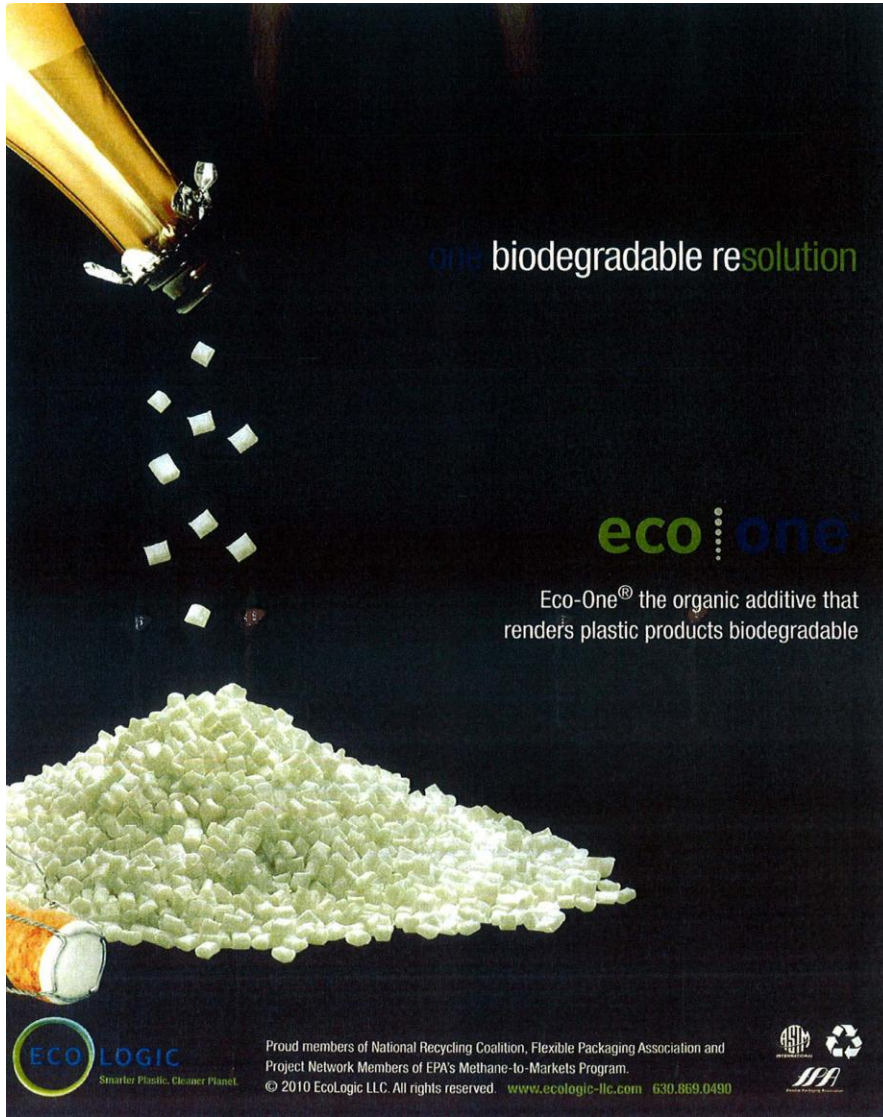
- What's the role of science?
- What's the role of H&S regulations?
- What's the role of consumer perception?
- What tests support green claims?



What Claims Resonate and Why?



B2B Advertising




one biodegradable resolution

eco:one

Eco-One® the organic additive that renders plastic products biodegradable

ECO LOGIC
Smarter Plastic. Cleaner Planet.

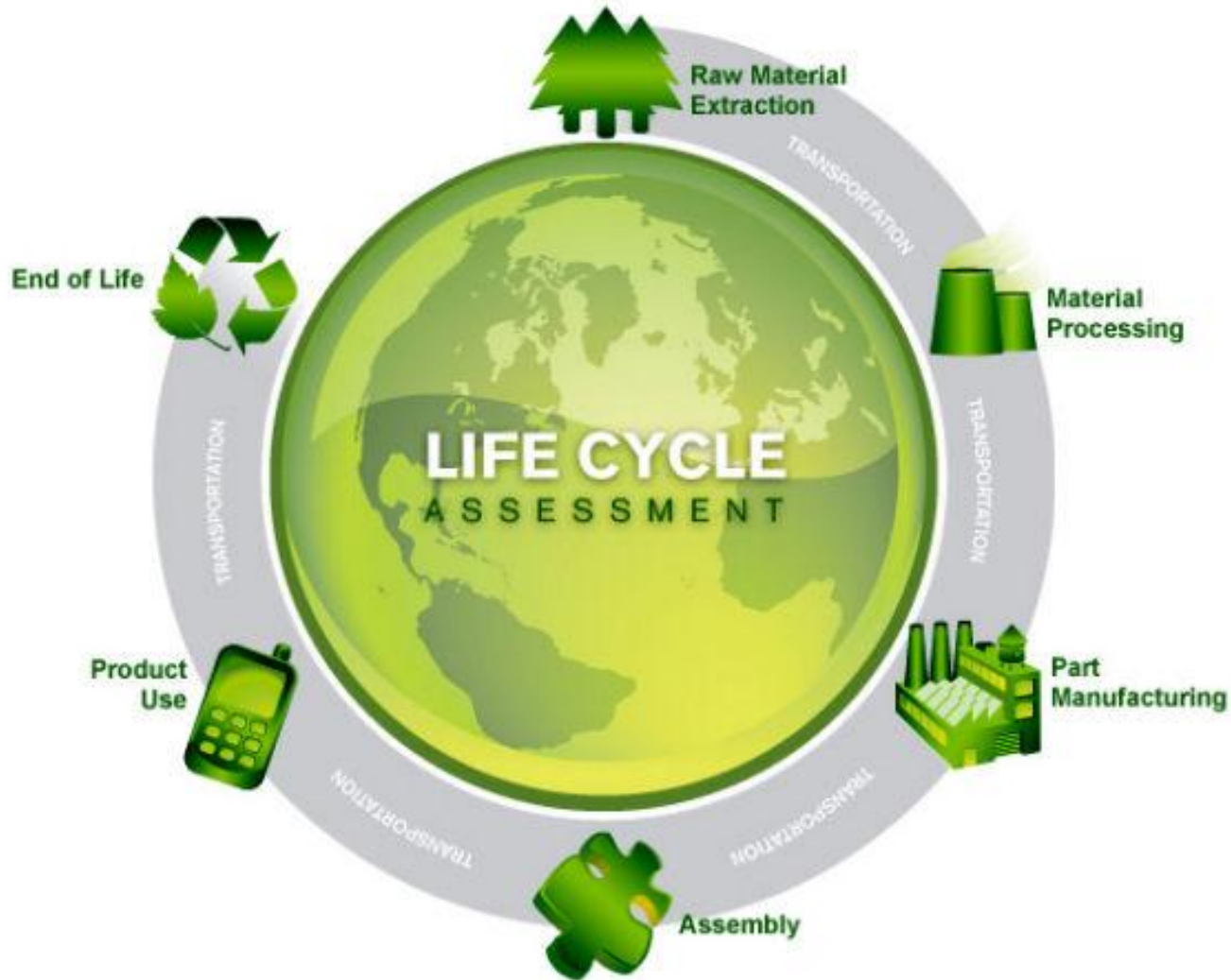
Proud members of National Recycling Coalition, Flexible Packaging Association and Project Network Members of EPA's Methane-to-Markets Program.
© 2010 EcoLogic LLC. All rights reserved. www.ecologic-llc.com 630.869.0490



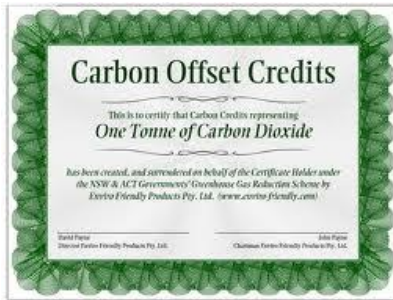
“The organic additive that renders plastic products biodegradable”

Ecologic, Case # 5388 (2011)

What Tests Are Needed?



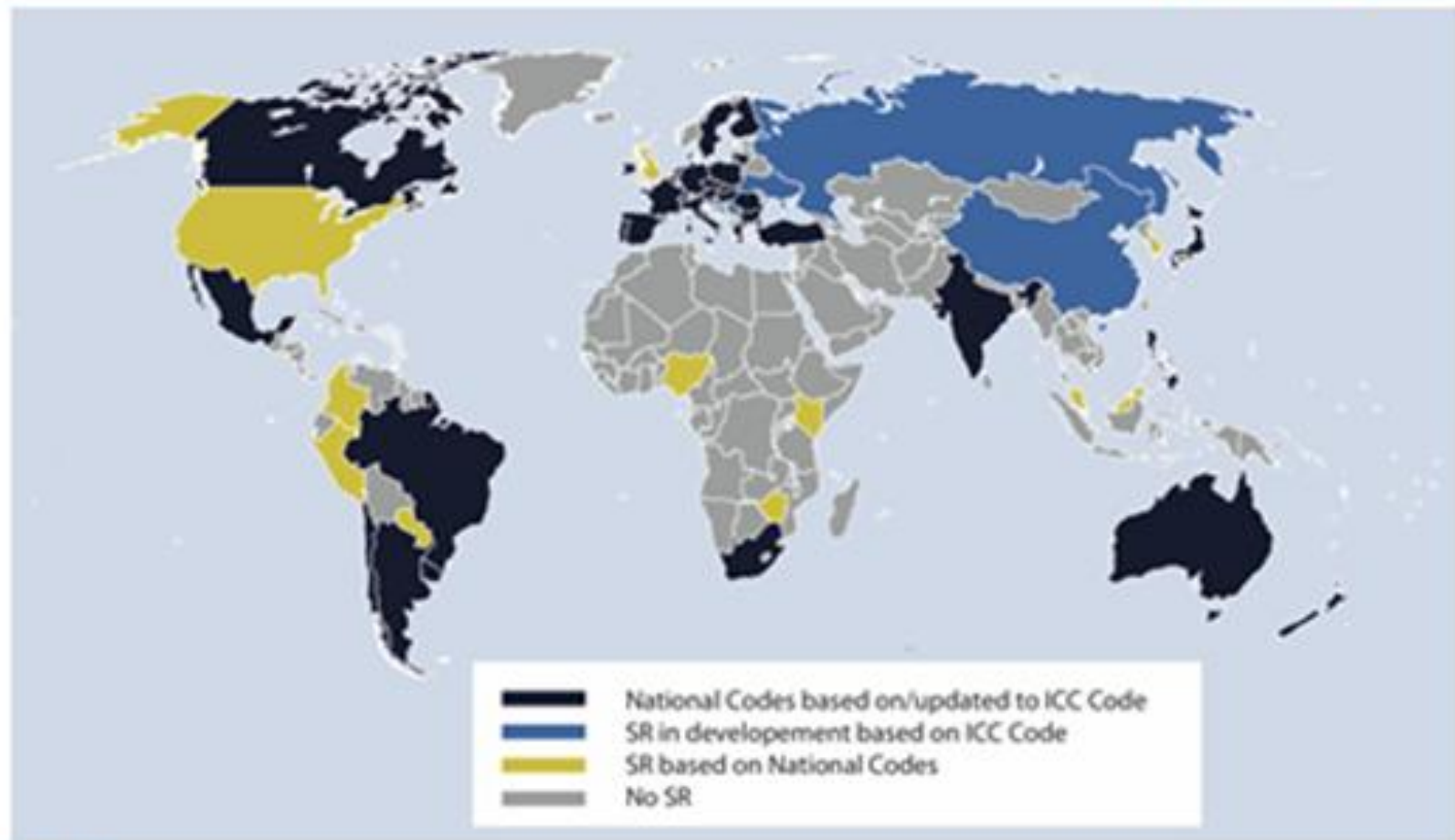
Standards and Seals



“Free-of” Claims



BUILDING TRUST ON A SOLID FOUNDATION



International Chamber of Commerce

The world business organization

Renewable Energy

“The new ultra light bag that’s better for the environment. Made with 25% less plastic* and made with wind energy”



BETTER FOR THE ENVIRONMENT.
STILL ZIPLOC® FRESH.™



INTRODUCING ZIPLOC® EVOLVE.™

The new ultra light bag that's better for the environment.
Made with 25% less plastic* and made with wind energy!

S.C. Johnson & Son, Inc.,
(Ziploc Evolve) Case #5225

What is the Role of H&S Regulations?

- Consumer Product Safety Improvement Act
- EPA, state VOC requirements
- CONEG, TCP
- DOE energy baseline standards and tests
- Proposition 65
- Green chemistry
- “Organic,” GMO and other labeling

How Do We Express Complicated Green Claims Understandably?



CARBON FOOTPRINT
We offset all carbon.

WE DONATE 25%
World Centric gives 25% of profits to grassroots social and environmental organizations.



WE PRODUCE 2 FORKS
using the same energy it takes to make just one plastic fork!



OUR PRODUCT LIFE CYCLE
begins and ends in the same place. Made from wheat straw, it breaks down during composting in 3-6 months, making nutrient rich soil - starting the process all over again.

PRODUCT TESTING
Our products meet the strictest standards.

FREE OF
CHEMICALS
SYNTHETIC FABRICS
ARSENIC
LEAD



ECO FRIENDLY
CHLORINE FREE - MANAGED FORESTS



UTZ CERTIFIED
Good inside



BUY ME,
PLANT TREES!

Putting It Together

- How do we work with product development and marketing teams to develop truthful claims that meet regulatory standards in a way that is useful to the audience?

Questions?

